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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/665,650

09/19/2003

Paul D. Arling

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12/06/2005

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EXAMINER

NGUYEN, PHUNG

ART UNIT

PAPER NUMBER

2632

DATE MAILED: 12/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/665,650

Applicant(s)

ARLING ET AL.

Examiner

Phung T. Nguyen

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.

If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.

- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 19 September 2003.

2a) ☐ This action is **FINAL**.

2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-70 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-70 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 02/28/05.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 6, 41, and 52 are objected to because of the following informalities:

Claim 6, line 2, change "a rest button" to --a reset button--

Claim 41, line 2, change "a rest button" to --a reset button--

Claim 52, line 2, change "a rest button" to --a reset button--

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Darbee et al. (U.S. Pat. 4,959,810) in view of Zintel et al. (U.S. Pat. 6,725,281).

Regarding claim 1: Darbee et al. disclose universal remote control device comprising identifying to a recipient device an intended target appliance; receiving at the recipient device a transmission from the remote control; determining if the transmission from the remote control is intended to command an operation of the intended target appliance (col. 1, lines 17-30, and col. 8, lines 31-38). Darbee et al. do not disclose using the transmission to update data maintained within the recipient device such that the updated data reflects a state of the intended target appliance which will result from the intended target appliance performing the operation.

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However, Zintel et al. teach using the transmission to update data maintained within the recipient device such that the updated data reflects a state of the intended target appliance which will result from the intended target appliance performing the operation (col. 2, lines 1-36). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teaching of Zintel et al. in the system of Darbee et al. so that the user is able to interact appropriately to the actual current state of the device which is an advantage.

Regarding claim 2: Zintel et al. disclose wherein the data is maintained within a state table (col. 1, lines 66-67, and col. 2, lines 1-7).

Regarding claim 3: Zintel et al. disclose updating the data maintained within the recipient device only in cases where the transmission from the remote control is intended to command a toggled operation of the intended target appliance (col. 2, lines 29-35).

Regarding claims 4-6: Darbee et al. disclose placing the data into a known state upon the recipient device receiving a reset command (col. 6, lines 14-16).

Regarding claim 7: Darbee et al. disclose wherein determining if the transmission from the remote control is intended to command an operation of the intended target appliance comprises comparing a command received from the remote control against a command code set maintained within the recipient device (col. 8, lines 39-43).

Regarding claim 8: Darbee et al. disclose wherein identifying to a recipient device an intended target appliance causes the command code set to be selected from a library of command code sets (col. 1, lines 22-25).

Regarding claim 9: Darbee et al. disclose wherein the library of command code sets is locally stored on the recipient device (col. 13, lines 66-68, and col. 14, lines 15-16).

Regarding claim 10: Darbee et al. disclose wherein the library of command code sets is stored remotely from the recipient device and the selected command code set is downloaded into the recipient device (col. 13, lines 66-68, and col. 14, lines 15-26).

Regarding claim 11: Darbee et al. disclose wherein the command code set is learned from the remote control (col. 1, lines 57-59).

Regarding claim 12: All the claimed subject matter is already discussed in respect to claim 1 above. Darbee et al. also teach using the transmitted data within the remote control to determine if a transmission of a sequence of macro commands requires alteration given the state of the intended target appliance as indicated by the data (col. 9, lines 65-68; col. 10, lines 1-3, and col. 13, lines 14-18).

Regarding claim 13: Zintel et al. disclose updating the data maintained within the recipient device only in cases where the transmission from the remote control is intended to command a toggled operation of the intended target appliance (col. 2, lines 29-35).

Regarding claim 14: Refer to claim 4 above.

Regarding claim 15: Refer to claim 5 above.

Regarding claim 16: Refer to claim 6 above.

Regarding claim 17: Refer to claim 7 above.

Regarding claim 18: Refer to claim 8 above.

Regarding claim 19: Refer to claim 9 above.

Regarding claim 20: Refer to claim 10 above.

Regarding claim 21: Refer to claim 11 above.

Regarding claim 22: Darbee et al. disclose using the data received from the

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recipient device to display via the remote control a state of the intended target appliance (col. 4, lines 34-41).

Regarding claim 23: Darbee et al. disclose accepting input into the remote control that reflects an intended state for the target appliance in response to the remote control transmitting the macro command sequence (col. 9, lines 56-66).

Regarding claim 24: Zintel et al. disclose using the received data within the remote control to omit from the macro command sequence those commands that would cause the intended target appliance to be placed into a state other than the intended state (col. 2, lines 29-35).

Regarding claim 25: Zintel et al. disclose transmitting from the recipient device to the remote control all maintained data (col. 1, lines 55-65).

Regarding claim 26: Zintel et al. disclose wherein the recipient device transmits to the remote control at least a portion of the maintained data in response to a query message received from the remote control (col. 2, lines 36-44).

Regarding claim 27: All the claimed subject matter is already discussed in respect to claim 1 above.

Regarding claim 28: Refer to claim 3 above.

Regarding claim 29: Refer to claim 2 above.

Regarding claim 30: Refer to claim 25 above.

Regarding claim 31: Zintel et al. disclose transmitting the data to a requesting personal computer (col. 1, lines 39-50).

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Regarding claim 32: Zintel et al. disclose transmitting the data to a remote device via an Internet connection (col. 1, lines 29-36).

Regarding claim 33: Darbee et al. disclose wherein the data is maintained locally within a device which receives the transmission (col. 1, lines 17-25).

Regarding claim 34: Darbee et al. disclose wherein the data is maintain remotely from a device which receives the transmission (col. 1, lines 17-30).

Regarding claim 35: All the claimed subject matter is already discussed in respect to claim 1 above.

Regarding claim 36: Darbee et al. disclose wherein the instruction perform the step of receiving data that identifies the intended target appliance (col. 8, lines 31-38).

Regarding claim 37: Refer to claim 12 above.

Regarding claim 38: Refer to claim 3 above.

Regarding claim 39: Refer to claim 4 above.

Regarding claim 40: Refer to claim 5 above.

Regarding claim 41: Refer to claim 6 above.

Regarding claim 42: Refer to claim 7 above.

Regarding claim 43: Refer to claim 8 above.

Regarding claim 44: Refer to claim 9 above.

Regarding claim 45: Refer to claim 10 above.

Regarding claim 46: Refer to claim 11 above.

Regarding claim 47: All the claimed subject matter is already discussed in respect to claim 12 above.

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Regarding claim 48: Refer to claim 8 above.

Regarding claim 49: Refer to claim 3 above.

Regarding claim 50: Refer to claim 4 above.

Regarding claim 51: Refer to claim 5 above.

Regarding claim 52: Refer to claim 6 above.

Regarding claim 53: Refer to claim 7 above.

Regarding claim 54: Refer to claim 8 above.

Regarding claim 55: Refer to claim 9 above.

Regarding claim 56: Refer to claim 10 above.

Regarding claim 57: Refer to claim 11 above.

Regarding claim 58: Refer to claim 22 above.

Regarding claim 59: Refer to claim 23 above.

Regarding claim 60: Refer to claim 24 above.

Regarding claim 61: Refer to claim 25 above.

Regarding claim 62: Refer to claim 26 above.

Regarding claim 63: All the claimed subject matter is already discussed in respect to claim 1 above.

Regarding claim 64: Zintel et al. disclose wherein the instructions perform the step of supplementing the data with information obtained directly from the intended target appliance (col. 2, lines 36-46).

Regarding claim 65: Refer to claim 2 above.

Regarding claim 66: Refer to claim 25 above.

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Regarding claim 67: Refer to claim 31 above.

Regarding claim 68: Zintel et al. disclose wherein the data is maintained locally within the transmission receiving device (col. 1, lines 29-36).

Regarding claim 69: Refer to claim 33 above.

Regarding claim 70: Refer to claim 34 above.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Patry et al. [U.S. 2003/0041335] disclose method for downloading data preceded by information signals.

b. Herz [U.S. Pat. 6,956,496] discloses method and apparatus for updating universal remote databases through TV VBI processing.

c. Haroun et al. [U.S. Pat. 5,787,259] disclose digital interconnects of a PC with consumer electronics device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phung T Nguyen whose telephone number is 571-272-2968. The examiner can normally be reached on 8:00am-5:30pm Mon thru. Friday, with alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on 571-272-2964. The fax numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-308-9051 for After Final communications.

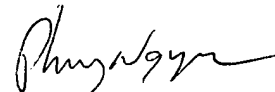
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

Phung Nguyen

A handwritten signature in cursive script, appearing to read 'Phung Nguyen', written in dark ink.

Date: November 30, 2005